

PRIMERA PARTE
DE LOS VEINTE Y UN LIBROS RITUALES Y MONARCHIA
INDIANA con elorigen y guerras, de los Indios Occidentales, de
sus Poblaciones, Descubrimiento, Conquista, Conversión y
otras cosas maravillosas de la misma tierra distribuydos
en tres tomos.

COMPUESTO POR F. JUAN DE TORQUEMADA.
Ministro Provincial de la Orden de Nuestro Señor Padre.
San Francisco en la Provincia del Santo Evangelio de
Mexico en la Nueva Espana.

DICO EGO OPERA MEA REGI
Seculorum immortalis et inuisibilis
CON. PRIVILEGIO
Madrid en la Oficina de la viuda de Nicolas Rodriguez
Anno 1713.

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sa avia embiado el Conde para estas averiguaciones à Don Lope de Ulloa, y allà se negocio de manera, que la Jornada se prosiguió, y fue nombrado Frai Alonso Martinez por nuevo Comisario, y llevó contigo otros Religiosos, y pasaron todos, hasta llegar a las Poblaciones, que llaman Nuevo Mexico, y allí asentaron Real, y oí Dia permanece; y de lo que ha ido sucediendo, se dirá en sus lugares.

1602.

En el Año de 1602, por el Mes de Noviembre, viniendo los Navios de la China, como suelen, por aquell tiempo, vieron los que venian en la Nao, Almirante (llamado San Antonio de Padua) vna señal en el Cielo; que les causó espanto, y admiracion, la qual se tomó por Testimonio, con fe de Escrivano, el qual tengo en mi poder, y dice así: En el Año de 1602, à quattro de Noviembre de el dicho Año, à las ocho y media de la Noche, viniendo navegando de las Islas Filipinas, en demanda de la Costa de Nueva-España, 38. grados y medio, docientes Leguas de Tierra; estando para tomar la Guardia, la buelta de el Norte, apareció vna grandísima claridad en el Cielo, que totalmente parecían Campos, que le quemaban; porque toda su color era tan bermeja, que parecía vna propia sangre, y esto de el Oriente, para arriba; no subió tanto, que pudiere cubrir la Estrella de el Norte, y en el circuito, que tomaba aquella color roja, à trechos estaban hechadas vnas barras, de Norte à Sur, y su color de estas era; entre blanco, y amarillo: Y citando toda la Gente de la Nao, mirando con grandísima atención, vieron, se vino à dividir por la mitad de el Norte, adonde vino à quedat el Cielo muy blanco, y la maior parte que dividió, fue cortiend à la parte de Leite, y esto fue dertamandole de lo que quedó, à la parte de el Oeile, y se vino à consumir, quedando antes que se ensolviera, como vn Tiçon en el Aire, y esto duraría por tiempo de hora y media. De lo qual doi fe, y verdadero Testimonio, Yo Sebastian Solano, Escrivano de la dicha Nao, por su Magestad, que pasó asi, y lo vi, en Testimonio de lo qual, hice mi firma acostumbrada. Sebastian Solano. Què aya querido significar esta prodigiosa señal, no lo sé; pero tambien sabemos, que son demonstraciones estas, y otras co-

Libro Quinto

mo ellas, de cosas que suelen acaecer, como son Muertes, Guerras y Hambrues, quiera Dios, que esta no sea indicios de nada de esto, sino solamente figura, que aya querido Dios mostrar, para solo que le alabemos.

CAP. XXXVII. Relaciones de las cosas, que han ido sucediendo, en las Provincias del Nuevo Mexico, despues que fueron à poblarlas nuestros Espanoles, de que fue por General Don Juan de Oñate.



ESPACHADOS

Don Juan de Oñate, y los Siyos, para la Jornada del Nuevo Mexico, siguieron su camino, en demanda de aquellas Tierras, y en llegando à aque-

llas parres, tomaron posesion, por el Rei, en ellas, y el Pueblo donde Don Juan de Oñate, Gobernador, y Capitan General de esta Enemada, liço asiento, y puso su Real, se llama San Gabriel, el qual Sitio está en treinta y siete grados de altura al Norte, y está situado entre dos Ríos, y con las Aguas del menor de los dos, se riegan los Trigos, Cevada, y Maíz, y las demás cosa, que se siembran en las Huertas, que son, Coles, Cebollas, y otras Hortalicas, que se dan mui bien. El otro Rio es grande, que llaman del Norte, que es de mucho, y mui buen Pescado.

En este Lugar se sirriaron, y asentaron su Real los Castellanos, y de aqui comenzaron à granjeat las voluntades de otros Convecinos, y ya por fuerça, ó ya de grado, traxeron à su obediencia todos aquellos Pueblos, y en algunos de ellos se repartieron los Religiosos, que avian ido à esta Conversion, aunque no luego comenzaron à traer a la Fe las Gentes de ellos; porque como no se entendian los vnos à los otros, no podian ser persuadidos al intento de los Religiosos, solo les daban à entender los Espanoles, que avian de tributarles, y servirles; y quando no se querian dar por entendidos los Indios, se lo daban à entender por fuerça. Asi comenzò esta Poblacion, y se conseryò, à mal de su pesar de los Indios, que aunque à los principios los

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Libro Quinto

fados de los trabajos, y calamidades, que padecian.

Fueron seis Religiosos, y por Comisario de ellos, y de los que allá estaban, el Padre Frai Francisco de Escobar, Hombre de Aprobacion, de Vida, y Letras, aunque por causas que concurrieron, le fue la Comision al Padre Frai Francisco de Velasco, que allá estaba por un Año; y mandato al nuevo Comisario, que de acá iba, que así se cumpliese, y con Gente que fue de socorro para lo que se ofreciese, así de Presidios, como de Entradas, quedó todo cumplido, y el Virrei, y la Orden quietos de la inquietud, que les causaba el desconcierto, y mal avio de aquella Entrada.

Tocadas yá aquellas Gentes de la Mano de Dios poderosa, comenzaron a Bautizarle, y tenian yá el Año pasado de mil seiscientos y ocho Años, mas de ocho mil Animas, y con este contenido, así de los Ministros Eclesiasticos, como de lo Secular, escrivieron al Virrei, y á la Orden, y vinieron Religiosos con Raçon de todo lo que pasaba, y á pedir ayuda, así en lo Temporal, como en lo Espiritual; á lo qual se acudió liberalmente; y para lo Espiritual, fueron ocho, ó nueve Religiosos, que ajudasen en tan Apostolica obra, y el Padre Frai Alonso Peinando por Comisario de ellos, y de los que allá están, por aver renunciado este Oficio el Padre Frai Francisco de Escobar, que hasta entonces lo avia sido, con mucha Aprobacion. El Virrei los proveyó, como era justo, y nombró por Capitan de la Gente, que fue de nuevo, al mismo que iba por Gobernador, en nombre de el Rei; porque yá su Magestad lo ha tomado á su cargo, y por suia la Conquista; y así entendemos, tendrá mucha medida aquella conversion, porque para su Re medio tenia necesidad de un bravo tan poderoso, como es el de el Rey Nuestro Señor.

C A P. XXX.

da fin á las Relaciones de Mexico, y se dicen en particular las cosas tocantes a sus Moradores.

A hemos dicho, que el Lugar principal donde el Gobernador Don Juan de Oñate hiço su Población, y señó su Real, le puso por Nombre San Gabriel, que está situado en treinta y siete Grados de altura, y que tiene por Vándados Ríos, uno de los cuales es de menos Agua, que el otro. Este chico riega todas las Sementeras de Trigo, y Maiz, y Maiz, que ay de Riego, y todas las demás cosas, que se siembran en Huertas, porque se dan en aquella Tierra Coles, Cebollas, Lechugas, y Rábanos, y la demás verdura menuda, que en esta: danse muchos, y buenos Melones, y Sandías.

El otro Rio es muy grande, y la manle de el Norte, dase en el mucho Pescado, y de cinco Leguas, mas abajo de el Real, buenas Truchas (y muchas de á dos palmos) mas abajo de el Real, se toma mucho Pescado, como son Bagres, Matalotes, Mojarras, y Motogotes; y en los Esteros de este Rio, se pescan Ánguilas, que pasan de ávaras.

Todo lo que se siembra de Castilla, y el Maiz, y Chile de acá se da bueno, y mucho. Criaban las Indias muchas Gallinas de la Tierra, y al mucha Caça de grandes Venados, Cabras Montesas, y muchas Liebres, y Conejos: Dase bien el Ganado de Castilla, así menor, como mayor, y leguas, y los Puercos, y Gallinas, en quebradas, y Riberas del Rio, Arroyos, mucha Vba, y Rosas, y Ríos, y por los Campos muchos Linos. Estas cosas se dan, y nacen sin sembrarlas, ni labrarlas. Así en partes Vias, Circuas muy buenas, y Piscaderas, mayores que los de esta Tierra. Esta cada de Vacas de Gibola, y aunque mas cercanas estarán cincuenta leguas, cuia carne es muy sabrosa, y en festo es tan bueno, que se come entero, bocados: la Manteca es cosa muy dulce, y de lindo sabor.

Lucgo que las Maçorcas de Malzales gan a estar en leche, cogen muchas de ellas.

ellas; y amasadas; y ellas extendida, mui ta de hojaldrado, crujita de Sartén; y una Finita de Sartén; y amasada, hacen una galleta, que vna si guias al Sol; y para comer; y van á quasi quazar de ellas, y tostadas ponen al Sol; y los, y secas, las más Maçorcas, que les dexan sazonar guardarlas en Maizmer, y para sembrar esto hacen, y nienan mui tempi díes á mucho, y así tienen este comida, para gozar que se le celebre toda buena Frisoles; y y lábrosas se hacen, d por la mañana Atorina Gachas, ó Pomen frío todo el Sal, ni lo cuecen como estos otros. También hacen Ta como los de por aci dinario Pans.

La Tierra es muela, y nieva much vierno, y el Verano Espana. Para los si ay mucha Leña, y otros gener debajo de la Tierra invierno: Y están que ha acedido el alegria, y en el ciendo Misa (aunq cas veces) los Ríos xan de mui grueso; es largo el Ir no corto; pero ce fria Castilla la Vís-

Las Gentes Indios, como India de buena estatura agestados. Son doto, y alegres; (que serán ciento Pueblos) es de G partida de lo q Desde que mama ban sus Madres ce po, porque se fio; y todo el



Case: 6:69-cv-07941-BB

EXHIBIT H

- New Mexico House Memorial (Draft), #14
- New Mexico House Memorial, #14
 - 48th legislature
 - First Session, 2007
- New Mexico Senate Memorial, #21
 - 48th Legislature
 - First Session, 2007
- Letter to N.M. House Representative Nick Salazar to note a needed correction
- House Memorial, #14-Health and Government Affairs Committee
- House Memorial, #14-Final Passage
- Bibliographic Research

DRAFT A

House Memorial
48th Legislature
State of New Mexico
First Session, 2007
Introduced by Nick Salazar

A single house Memorial (this may be considered a joint house memorial if New Mexico Representative Nick Salazar so wishes).

Recognizing the important cultural, social, historic, and ethno-hydraulic engineering contribution of the first acequia, the Acequia de Chamita, in the state of New Mexico and recommend the acequia for consideration by the New Mexico Historic Preservation Division, Department of Cultural Affairs, to be nominated to the New Mexico State Register of Cultural Properties and the National Register of Historic Places.

WHEREAS, the colonist Don Juan de Oñate called his men and 1,500 Ohkay Owingeh for the digging of an acequia on August 11, 1598; the first irrigation system of Iberian-Arabic origins in New Mexico; the Acequia de Chamita is still a joint use acequia;

WHEREAS, the 1602 Enrico Martinez Map of Oñate's New Mexico Kingdom would indicate the settlement of Sama at San Gabriel del Yunque; this community would become known as Chamita, and the communities' acequia as the Acequia de Chamita;

Whereas, the seventeenth century Franciscan scholar Fray Juan de Torquemada writing in his 1615, "Monarquía Indiana", states the importance of the results of the new form of irrigated agriculture: After locating the settlement of San Gabriel del Yunque as being located between the two rivers of the Rio Chama and Rio Grande he writes that "The smaller one (Rio Chama) irrigates all the plantings of wheat, and barley and corn, and all the other items that are cultivated in gardens..."; a settlement area and irrigated fields still served by the Acequia de Chamita;

WHEREAS, from the beginning in the fertile triangle formed at the confluence of the Rio Chama and Rio Grande, the acequia form of gravity flow irrigation through the use of a system of earthen canals; and its civil and social "water democracy" institutions would eventually be constructed throughout the Southwestern United States and serve as the life blood for community development for thousands of civilian settlers or pobladores; today there are over one thousand acequias operating in New Mexico that carry the imprint of this first acequia;

WHEREAS 1877 Field Notes of U.S. Surveyors Sawyer and McElroy show a map of the town of Chamita Grant indicating the Acequia de Chamita starting off the Rio Chama and emptying into the Rio Chama above the confluence with the Rio Grande;

WHEREAS, besides the addition of a concrete diversion dam and headgates the only significant change to the approximate 4 mile run of the Acequia de Chamita from the 1877 survey is the change of the acequia out flow in the Rio Chama to an egress at the Rio Grande just above the confluence of the two rivers; this happened circa 1939 in keeping with the joint-use needs of the Ohkay Owingeh for more irrigable fields;

WHEREAS, as LA Site Record (100724) survey done by New Mexico State Highway and Transportation Department dated 7, June 1994, and a U.S. Army Corps of Engineers, Albuquerque District report, dated September 1995, note the historic importance of the Acequia de Chamita and recommend the acequia's eligibility for inclusion to the National Register of Historic Places;

WHEREAS, the location or legal description for the Acequia De Chamita is taken from the Acequia's By-Laws, "The Acequia de Chamita provides irrigation water from the Rio Chama for the community of Chamita and San Juan Pueblo (now Ohkay Owingeh). The point of diversion from the Rio Chama, in the Bartoleme Sanchez Grant, is located approximately 1.5 miles Northwest from the junction of U.S. Highway 285 and State Road 74, New Mexico coordinates system, central time zone x=536,60 and Y=1,850,000. The ditch is approximately 4 miles long and empties into the Rio Grande at a point of the Northwest corner of the historic San Juan-Rio Grande Bridge".

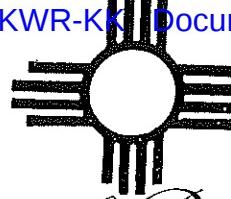
WHEREAS, the 409 year old history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use within the United States;

WHEREAS, Governor Bill Richardson has declared 2007 The Year of Water, that includes a focus on protecting and insuring the survival of New Mexico's Acequias;

NOW, THEREFORE, BE IT RESOLVED THAT THE LEGISLATURE OF THE STATE OF NEW MEXICO give recognition for the living social, cultural, historic and ethno-hydraulic engineering importance and contribution of the Acequia de Chamita to the unique character of the State of New Mexico.

BE IT FURTHER RESOLVED that the legislature give recommendation of the appointment of the Acequia de Chamita to the New Mexico State Register of Cultural Properties and further consider the nomination of the Acequia de Chamita to the National Register of Historic Places.

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor, the Acequia Commission, and the State and National Register Coordinator, Historic Preservation Division, State of New Mexico Department of Cultural Affairs for appropriate distribution.



The House of Representatives
of the
State of New Mexico

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

HOUSE MEMORIAL 14

Introduced by Representative Nick L. Salazar

Urging the Cultural Affairs Department to Include the Acequia De Chamita in the New Mexico State Register of Cultural Properties and Nominate the Acequia De Chamita for Placement on the National Register of Historic Places

WHEREAS, the colonist Don Juan de Onate called upon his men and fifteen Ohkay Owingeh villagers to dig the first irrigation system of Iberian-Arabic design in New Mexico on August 11, 1598; and

WHEREAS, the Acequia de Chamita, as the irrigation system has become known, is still in common use by the people of Ohkay Owingeh and the community of Chamita; and

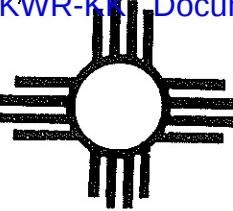
WHEREAS, the map dated 1602 and created by Enrico Martinez depicting "Onate's kingdom" indicates the settlement of Sama at San Gabriel del Yunque, now known as Chamita; and

WHEREAS, in "Monarquin Indiana", the seventeenth century Franciscan scholar Fray Juan de Torquemada states in 1602 the importance of the new form of irrigated agriculture and describes the settlement of San Gabriel del Yunque, located between the Rio Chama and the Rio Grande, as having irrigated fields of wheat, barley and corn and within the settlement the remainder of the food for the community is cultivated in gardens, all served by the Acequia de Chamita; and

WHEREAS, the gravity-flow earthen canal system for irrigation that was constructed along the Rio Grande and Rio Chama began the spread of civil and social "water democracy" throughout the southwestern part of what became the United States and the acequias served as the lifeblood for community development for thousands of civilian settlers or pobladores; and

WHEREAS, in New Mexico alone, the system of acequias has grown to exceed one thousand acequias within the state, all carrying the imprint of the Acequia de Chamita; and

WHEREAS, a map of the town of Chamita from the 1877 field notes of United States surveyors Sawyer and McElroy show the Chamita land grant indicating the Acequia de Chamita starting from the Rio Chama and emptying into the Rio Chama above its confluence with the Rio Grande; and



WHEREAS, very few significant changes since it was first constructed are seen today along the four-mile course of the Acequia de Chamita, with the exception of the replacement of the earthen diversion dam by a concrete diversion, installation of relatively modern headgates and a change of the point of egress to a place on the Rio Grande rather than the Rio Chama; and

WHEREAS, site records of a survey completed by the state highway and transportation department in 1994 and another survey completed by the army corps of engineers in 1995, both note the historic importance of the Acequia de Chamita and recommend the acequia for inclusion on the national register of historic places; and

WHEREAS, the legal description of the location of the Acequia de Chamita is in the bylaws of the acequia, stating that the acequia "provides irrigation water from the Rio Chama for the communities of Chamita and San Juan Pueblo (once again called Ohkay Owingeh); and

WHEREAS, the four-hundred-nine-year history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use in the United States; and

WHEREAS, 2007 has been declared by Governor Bill Richardson to be the "year of water" and that will bring greater focus to protecting and insuring the survival of New Mexico's acequias;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that recognition be given to the social, cultural, historic and ethno-hydraulic engineering importance of and the long-lived contribution to New Mexico of the Acequia de Chamita; and

BE IT FURTHER RESOLVED that the house of representatives urge the cultural affairs department to place the Acequia de Chamita on the New Mexico register of cultural properties and further consider nominating the Acequia de Chamita for the national register of historic places; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to Governor Bill Richardson, Governor Earl Salazar of Ohkay Owingeh, the secretary of cultural affairs, the acequia commission and the state and national register coordinator.

Signed and Sealed at The Capitol,
in the City of Santa Fe.

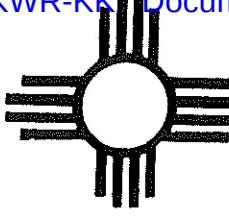


BEN LUJAN, SPEAKER



REPRESENTATIVE NICK L. SALAZAR
MORA, RIO ARRIBA, SAN MIGUEL, SANTA FE
AND TAOS COUNTIES





The Legislature of the State of New Mexico

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

SENATE MEMORIAL 21

INTRODUCED BY

SENATOR RICHARD C. MARTINEZ

A MEMORIAL

URGING THE CULTURAL AFFAIRS DEPARTMENT TO INCLUDE THE ACEQUIA DE CHAMITA IN THE NEW MEXICO STATE REGISTER OF CULTURAL PROPERTIES AND NOMINATE THE ACEQUIA DE CHAMITA FOR PLACEMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES

WHEREAS, the colonist Don Juan de Onate called upon his men and fifteen Ohkay Owingeh villagers to dig the first irrigation system of Iberian-Arabic design in New Mexico on August 11, 1598; and

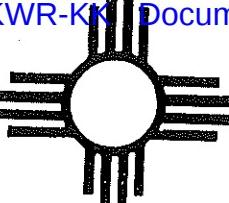
WHEREAS, the Acequia de Chamita, as the irrigation system has become known, is still in common use by the people of Ohkay Owingeh and the community of Chamita; and

WHEREAS, the map dated 1602 and created by Enrico Martinez depicting "Onate's Kingdom" indicates the settlement of Sama at San Gabriel del Yungue, now known as Chamita; and

WHEREAS, in "Monarquin Indiana", the Seventeenth Century Franciscan Scholar Fray Juan de Torquemada states in 1602 the importance of the new form of irrigated agriculture and describes the settlement of San Gabriel del Yungue, located between the Rio Chama and the Rio Grande, as having irrigated fields of wheat, barley and corn and within the settlement the remainder of the food for the community is cultivated in gardens, all served by the Acequia de Chamita; and

WHEREAS, the gravity-flow earthen canal system for irrigation that was constructed along the Rio Grande and Rio Chama began the spread of civil and social "water democracy" throughout the southwestern part of what became the United States and the acequias served as the lifeblood for community development for thousands of civilian settlers or pobladores; and

WHEREAS, in New Mexico alone, the system of acequias has grown to exceed one thousand acequias within the State, all carrying the imprint of the Acequia de Chamita; and



WHEREAS, a map of the town of Chamita from the 1877 field notes of United States surveyors Sawyer and McElroy show the Chamita Land Grant indicating the Acequia de Chamita starting from the Rio Chama and emptying into the Rio Chama above its confluence with the Rio Grande; and

WHEREAS, very few significant changes since it was first constructed are seen today along the four-mile course of the Acequia de Chamita, with the exception of the replacement of the earthen diversion dam by a concrete diversion, installation of relatively modern headgates and a change of the point of egress to a place on the Rio Grande rather than the Rio Chama; and

WHEREAS, site records of a survey completed by the State Highway and Transportation Department in 1994 and another survey completed by the Army Corps of Engineers in 1995, both note the historic importance of the Acequia de Chamita and recommend the acequia for inclusion on the National Register of Historic Places; and

WHEREAS, the legal description of the location of the Acequia de Chamita is in the bylaws of the acequia, stating that the acequia "provides irrigation water from the Rio Chama for the communities of Chamita and San Juan Pueblo (once again called Ohkay Owingeh); and

WHEREAS, the four-hundred-nine-year history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use in the United States; and

WHEREAS, 2007 has been declared by Governor Bill Richardson to be the "Year of Water" and that will bring greater focus to protecting and insuring the survival of New Mexico's acequias;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that recognition be given to the Social, Cultural, Historic and Ethno-Hydraulic Engineering importance of and the long-lived contribution to New Mexico of the Acequia de Chamita; and

BE IT FURTHER RESOLVED that the Senate urge the Cultural Affairs Department to place the Acequia de Chamita on the New Mexico Register of Cultural Properties and further consider nominating the Acequia de Chamita for the National Register of Historic Places; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to Governor Bill Richardson, Governor Earl Salazar of Ohkay Owingeh, the Secretary of Cultural Affairs, the Acequia Commission and the State and National Register Coordinator.

Signed and Sealed at The Capitol,
in the City of Santa Fe.



Diane D. Denish
President
New Mexico State Senate

Richard C. Martinez
Senator
New Mexico State Senate

Margaret Larragoite
Chief Clerk
New Mexico State Senate

February 2, 2007

To: Nick Salazar, New Mexico State Representative and
Pamela Ray, Draft Writer, Legislative Council Services.

From: Ron Rundström
Researcher for Comisión, Acequia de Chamita

Subject: House Memorial #14, concerning Acequia de Chamita

This folder contains copies of the resource documents for the early historic period citations for this Memorial. The only noticed error is on line 17: it reads 15 Ohkay Owingeh villagers, it should read 1,500. You may also notice that there are variable dates that could be used for the Fray Torquemada, "Monarquia Indiana."

May this be of service,



Ron Rundström
ronpat@espanola-nm.com
1-505-852-2764

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

February 15, 2007

Mr. Speaker:

Your **HEALTH AND GOVERNMENT AFFAIRS COMMITTEE**, to whom has been referred

HOUSE MEMORIAL 14

has had it under consideration and reports same with recommendation that it **DO PASS**.

Respectfully submitted,

Mimi Stewart, Chair

Adopted Not Adopted
(Chief Clerk)

(Chief Clerk)

Date

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Fox-Young, Steinborn, Varela

Absent: None

Z:\Amend_07\HM014GU1.wpd

HM 14
Salazar
FINAL PASSAGE

Absent: 3 Yeas: 64 Nays: 0 Excused: 3

Y Anderson, T. A.	Y Garcia, M.H.	Lundstrom, P.	Y Steinborn, J.
Y Arnold-Jones, J	Y Garcia, M.P.	Y Madalena, J. R	Y Stewart, M.
Y Bandy, P. C.	Y Garcia, T.A.	Y Maestas, A.	Y Strickler, J.
Y Barela, E.	Y Gardner, K. J.	Y Martinez, W.	E Swisstack, T.
Y Barreras, A.	Y Gonzales, R.	Y McCoy, K.	Y Taylor T. C.
Y Begaye, Ray	Y Gray, W. J.	E Miera, R.	Y Tripp, D.
Y Berry, R. J.	Y Gutierrez, J.	Y Moore, B.K.	Y Trujillo, J.R.
E Bratton, D.	Y Hall, J. C.	Y Nunez, A.	Y Tyler, S. A.
E Campos, J.	Y Hamilton, D.	Y Park, A.	Y Varela, L.
Y Cervantes, J.	Y Hanosh, G. J.	Y Picraux, D.	Y Vaughn, G.
Y Chasey, Gail	Y Harrison, I.	Powdreli-C, J.	Y Vigil, R. D.
Y Chavez, E. H.	Y Heaton, J.	Y Rehm, W.	Y Wallace, J.
Y Cote, N. P.	Y Herrera, M.	Y Rodella, D.	Y Williams, W.C.
Y Crook, A. M.	Y Irwin, D. G.	Y Saavedra, H.	Y Wirth, P.
Y Espinoza, N.	Y King, R.	Y Salazar, N.	Y Youngberg, E.
Y Ezzell, C. S.	Y Larranaga, L.	Y Sandoval, E.	Zanetti, T. A.
Y Foley, D. R.	Y Lujan, A.	Y Silva, D.	
Y Fox-Young, J.	Y Lujan, Ben	Y Stapleton, S.	

CERTIFIED CORRECT TO THE BEST OF OUR KNOWLEDGE

Bear Lujan (Speaker)

J. Lujan (Chief Clerk)

Bibliographic Research

for the Acequia de Chamita
State and National Register of Historic Places Project

2007

by Ron and Pat Rundstrom
Reindeer Productions

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EXHIBIT

I

- By-Laws for the Acequia de Chamita

Acequia de Chamita

Established 1598

First Acequia in the USA

PO Box 930
San Juan Pueblo,
New Mexico 87566

By Laws and Rules and Regulations of the Chamita Community Ditch

These Bylaws are the official bylaws for the Acequia de Chamita; they supercede any existing or previously adopted bylaws for this Acequia.

Article I. Name of Acequia

The name of this acequia is Acequia de Chamita. The place of business for the Acequia de Chamita is in Chamita, New Mexico.

Mailing address is: Acequia de Chamita

P O Box 930
San Juan Pueblo,
New Mexico 87566

Article II Purpose of the Organization

The major purpose for which this organization was created is to serve as the community body that manages and operates the activities of the acequia. These activities include, but are not limited to, water apportionment and distribution, maintenance of the acequia and its structures, and promoting agricultural activities and agricultural interests.

The surface irrigation water has been and will always be locked into the land for productive use, including water for animals. Traditionally, the entire community hauled water in buckets and barrels for watering of gardens and trees above the ditch in the Chamita Village. It will continue to be our tradition as long as there is abundant water in the acequia.

The unlined ditch and the continued irrigation of the lands will sustain the vegetation on the lands, the replenishing of the aquifer, and provide evaporation of the surface water for cloud formation.

Article III History and Definitions

The history of acequia development in New Mexico is rooted in the regions 400 year old Mexican and Spanish eras. Don Juan de Onate established the Acequia de Chamita in August 11, 1598. The Constitution of the United States and the Treaty of Guadalupe Hidalgo, guarantee and "double guarantee" the Historic Rights of the Water the Land, the Acequia and the Parcientes, God given rights.

The treaty did not require the measurement or adjudication of water to Chamita or San Juan Pueblo. We claim a full ditch and any unused water flows back into the Rio Grande.

The Acequia de Chamita provides irrigation water from the Rio Chama for the community of Chamita and the San Juan Pueblo. The point of diversion from the Rio Chama, in the Bartoleme Sanchez Grant, is located approximately 1.5 miles northwest from the junction of U.S. Highway 285 and State Road 74, New Mexico coordinate system, Central Time Zone, X=536,680 and Y=1,850,000. The ditch is approximately 4 miles long and empties into the Rio Grande at a point of the northwest corner of the Historic San Juan-Rio Grande Bridge.

The ditch right-of-way shall be 15 feet to both sides from the center or a total of 30 feet, as per tradition.

Because of the Mexican and Spanish heritage many of the words and phrases still used today in conjunction with acequias are Spanish words. In this article, the most significant of these words are defined along with their English equivalent.

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1. Acequias(Ditches)

Acequias can best be defined in terms of their physical features, their political status, and their purposes. As physical structures, acequia are described as trenches or ditches excavated on the surface of the earth; in political terms, acequias are associations of water users, their principal function is to allocate and distribute water.

2. Propietarios o Parcientes (Owners of Irrigated lands)

Parcientes are the owners of the private land served by the acequia. As landowners, they are also the common owners of the acequia and they are its general membership. The acequia can exist only through their participation, and it exists primarily for their benefit.

3. Mayordomo(Steward/Superintendent)

The mayordomo functions as the chief officer of the acequia. He or she, is elected bi-annually by the general membership and works under direction of the comision. The mayordomo is principally in charge of allocating and distributing the water, and also directs all the work that is performed on the ditch and its structures

4. La Comision (the Commission)

The comision is composed of 3 parcientes, elected bi-annually by the general membership. It is customary for the comision to organize itself by selecting one member as chairperson, one as secretary, and one as treasurer. These comisionados(commissioners) function principally as the board of directors for their acequia. Their duties include overseeing the work of the mayordomo, and setting the assessments, which create the revenue for payment for the acequia operations. As is the case of most boards of directors, their principal function is to set policy and oversight

Article IV Los Propietarios o Parcientes (General Membership)

1. Membership Requirements

The general members of this acequia, the Acequia de Chamita shall be those propietarios who own land entitled to irrigation water from this acequia.

2. General Duties, powers, and responsibilities of the propietarios are those commonly associated with membership in any political organization that exists for the common good of its members.

3. Special Duties and Responsibilities:

a. Provide labor-All propietarios must provide labor for cleaning and maintaining their acequia and structures as assigned by the mayordomo.

b. Elect Comisionados-It is the responsibility and duty of the propietarios general members of the organization to regularly elect the comisionado

c. Participate at meetings-All propietarios should attend the annual meetings or any other general membership meetings of their acequia. They are to participate in the discussion and elections, and are to serve as comision-ados if elected, by their fellow propietarios.

4. Rights and Privilege

All members of the acequia who are in good standing shall enjoy equal and similar privileges, based on individual acre rights. Some of these privileges include, but are not limited to:

a. The right to water and the services provided by the acequia.

b. The right to vote on matters that concerns the acequia.

c. The right to be considered for nomination and election, to the comision.

5. Termination of Membership

Membership in this acequia will terminate automatically when a propietario no longer owns land entitled to irrigation from this acequia.

Article V La Comision (The Commission)

1. Number and Election

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The Comision of the acequia must have 3 members. These 3 comisionados are selected in a vote by the propietarios of the acequia at the bi-annual meeting.

2. Eligibility Requirements and Qualifications

In order to hold office, a prospective comisionado must first qualify as a propietario in good standing and must be able to be bonded from Acequia Funds.

3. Term of Office/Compensation

The comisionados serve a term of two years, elected bi-annually every odd year. As long as they are still propietarios, they may stand again for re-election at succeeding bi-annual meetings. Comisionados are to be reimbursed for their actual expenses while performing acequia duties.

4. General Duties, Powers and Responsibilities

The general duties, powers and responsibilities are:

- a. La Comision has general control and supervision over the business affairs of the acequia, and the comision has general power to act for the acequia in any manner not prohibited by law or these bylaws.
- b. They set the policies regarding fatigue work or tasks of all parties owning water rights in the acequia.
- c. They have the power to contract on behalf of the acequia, including contracts for obtaining irrigation water, but these water contracts must be ratified by a vote of the majority of the propietarios.
- d. La Comision makes all necessary assessments to provide funds for payment of the mayordomo's salary and other legitimate expenses related to the proper conduct and maintenance of the acequia as approved by the membership.
- e. La Comision must provide each parciante with a copy of the by-laws as approved by the Parcientes..
- f. The comisionados are also the representatives of the acequia in all civil cases for or against the acequia.

5. Specific Duties, Powers, and Responsibilities

- a. Provide year-end report-The comisionados are responsible for making a year-end report to the members at the annual meeting. This report should detail previous balance, inflows, outflows, and current balance of the previous year.
- b. Provide a detailed report on how the acequia functioned during the year.
- c. Direct the activities of the mayordomo-the comison will oversee the work and performance of the mayordomo.
- d. Arrange for annual meeting-The comisionados shall provide for an annual meeting.

6. Removal

Comisionados will be removed from office and their term declared vacant if they neglect or refuse to perform their duties, powers, and responsibilities. In order to remove offending comisionados, a meeting of the general membership must be called. Adequate public notice that a meeting has been called for this purpose must be given (Article VII Section 2). The decision of whether or not to remove a comisionado will be decided by a majority of votes.(Article VII Section 4)

7. Vacancies

When a comisionado dies or resigns, the remaining comisionados must fill the vacancy by appointing another propietario as interim comisionado until the next election.

Article VI El Mayordomo (the Steward/Superintendent)

1. Number and How and When Elected

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The acequia shall have a minimum of one mayordomo, who shall be elected bi annually by the general membership.

2. Eligibility Requirements/Qualifications

The mayordomo must be one of the parientes, that is, he or she must own land entitled to irrigation water from the acequia he or she serves. Also, the mayordomo must be in good physical and mental health.

3. Term of Office/Compensation

Mayordomos shall assume the duties of their office sometime between the time they are elected and not later than the first Monday of the month following the bi-annual meeting, and shall serve in that capacity until their successor is elected and takes over the duties. The pay of the mayordomo shall be determined by the general membership at the bi-annual meeting. As of the year 2000, the compensation of the mayordomo shall be \$300 per month, number of months set and agreed to by the General Membership at the bi-annual meeting. Payments shall be made as agreed to by Mayordomo and Comisionados.

4. General Duties, Powers, and Responsibilities

The mayordomo shall perform all the duties assigned to him or her by acequia bylaws, and shall perform all the duties assigned to him or her by the comisionados.

5. Specific Duties, Powers and Responsibilities

a. Acequia Cleaning and Maintenance

The mayordomo will direct the cleaning, maintenance, and construction of the acequia, including the head gates, bridges, and other structures, which are the responsibility of the Acequia.

b. Distribution of water

It is the responsibility of the mayordomo to distribute and allocate the water of the acequia. Amount of acreage with established water rights shall be the determining factor in apportioning the water of the acequia under the direction of the Comision.

c. Regular Reporting to the Comision

The mayordomo will report on all activities and actions he or she has performed as requested by the comisionados.

6. Removal

A mayordomo of this acequia may be removed for any of the following reasons:

- a. Failure or refusal to perform the duties required of him or her.
- b. Failure to conduct himself or herself with propriety and justice.
- c. Accepting bribes in the form of money, property or other favors.
- d. Malfeasance

In order to remove a mayordomo, a meeting of the general membership must be called. Adequate public notice that a meeting has been called for this purpose must be given (See Article VII Section 2). The decision of whether or not to remove a mayordomo will be decided by a majority vote of all members present at the meeting.

7. Vacancies

When a vacancy occurs in the office of the mayordomo, the comision shall have the power to appoint another pariente as mayordomo. This mayordomo shall hold office until his or her successor is elected by the general membership at the next annual meeting and assumes the responsibility of the office.

8. Temporary leave of Absence

Upon declaration of leave by Mayordomo, La Comision shall appoint a Comisionado or a pariente to temporarily replace the mayordomo until his return.